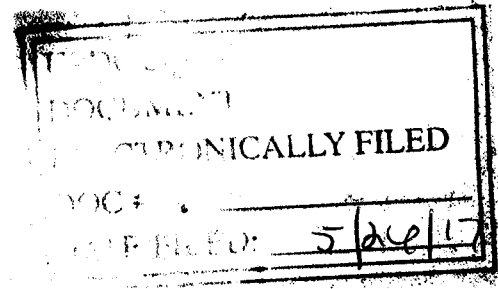


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



KELLY PRICE,

Plaintiff,

15-CV-5871

-Against-

THE CITY OF NEW YORK, ROSE PIERRE-
LOUIS, in her individual and official
capacity, SELVENA BROOKS, in her
individual and official capacity, INSPECTOR
OLUFUNMILO F. OBE, in her individual
and official capacity, DETECTIVE LINDA
SIMMONS, in her individual and official
capacity, OFFICER JOHN STAINES, in his
individual and official capacity, OFFICER
ISELAINE GUICHARDO HERMENE
GILDO CRUZ, in her individual and official
capacity, LT. NICHOLAS CORRADO, in his
individual and official capacity; MTA
OFFICER JOHN DOE, in his individual and
official capacity; MTA OFFICER JANE
DOE, in her individual and official and
official capacity

Motion Request for Reconsideration

Jury Trial Demanded

Defendants

-----X

Motion for Reconsideration May 26, 2017

2017 MAY 26 PM 4:25
S.D. OF N.Y.
RECEIVED
OFFICE OF CORP. COUNSEL
COMMUNICATIONS UNIT
SONY PRO SE OFFICE

AH01. CRIMS APPEARANCE MENU 05/26/2017
COUNTY: NEW YORK APPEARANCE HISTORY V075
GENERATE A DEFENDANT HISTORY (Y/N)? N DOCKET #: 2011NY067187
NAME: LANE, MAALIK CASE #: 04520-2011
CCN: 65033718 J NYSID #: 08135000 Z ARREST #: M11679380
DOB: 09/26/1988 DEF STATUS: ARREST DATE: 09/11/2011
IN CARE OF: STANDARD & GOAL AGE: 0000043
STREET: 169 FORT WASHINGTON APT/FLR: 2112
CITY: NEW YORK STATE: NY ZIP: 10021
RACE: W SEX: M FINISHED 11/23/2011

11/22/2011 (SEN) 52 JDG: FARBER, T RPTR: TAYLOR, DENISE/TIRADO, EVEL
SEN SI SURCH: \$300 JDORD CVAF: \$25 JDORD DNAF: \$50 JDORD
11/01/2011 (TRA) 52 JDG: FARBER, T RPTR: DAVIDSON, C NT PG
RE

APPEARANCE OPTION: 1) ALL, 2) FINAL DISP, PF11 TO VIEW PF9 TO VIEW
3) APPELLATE, 4) KEY - ARRAIGN, DISP, SENT, RESENT MOTIONS CHARGES
COMMAND: MESSAGE:

MAY 26 2017

SUPREME COURT - CRIMINAL TERM
FIRST JUDICIAL DISTRICT
100 CENTRE STREET
NEW YORK, NY 10013

Dear Hon. Polk-Failla: This request addresses your very gracious order dated April 21, 2017 granting me permission to re-write my complaint. I am overwhelmed with gratitude to the court and with the tasks at hand.

There are Seven Issues that I wish to address with the court in this motion:

1. The Manhattan District Attorney's office has blocked me on Facebook. I discovered this on May 24th 2017 as I tried to post to that page congratulating the Downtown Independent Democrat Political Club for voting over-whelmingly to NOT ENDORSE Cy Vance for re-election to Manhattan District Attorney this year in the city-wide elections. I don't usually use Facebook so I had not noticed this before. The only other time I have posted to the MDAO Facebook page is the first time I ever did so in January of this year. (Exhibit A screen shots of Facebook Block from MDAO).

I would very much appreciate the chance to add these claims for First Amendment violations of my right to redress the Government for Grievances to be added to my complaint.

2. I have already written the court asking for a closer examination of the Ryan Affidavit submitted by Manhattan District Attorney asserting, at first read, that my abuser had no relationship with law-enforcement. I beg the court to still entertain my observations about that carefully crafted affidavit along with several other pieces of information.

- A. An affidavit from former NYPD Lieutenant, Mark C Larocca asserting that as an employee in the 28th pct at the time of my abuse at the hands of Mr. Powell that that same person operated on several levels as a complainant and informant for the NYPD and MDAO on several cases.
- B. An email from August of 2010 to myself from a member of the MDAO Witness Services Unit in regards to a pending prosecution of Mr. Powell. Mr. Powell had been driving a car owned by me when he was arrested by an undercover NYPD detective who was a member of the Midtown Narcotics Squad on or about July or August of 2010 and charged with a Felony Drug Sale. A few weeks later all charges were completely dropped and my car was returned to me. It had not even been in-processed by the NYPD property unit or taken to the vehicle lot in Queens (the vehicle lot has since moved to Redhook). It sat in a special parking lot under the FDR until I was informed I could go collect it. The entire process was very unofficial. A guy in shorts waited on a curb next to my car, handed me

the keys and wished me well.

- C. Powell was arrested for marijuana possession in July of 2016. Those charges were completely dropped in March of this year.
- D. Powell's mother was given leniency for her assault against me. In all previous versions of my complaint I have said: "November 17, 2010: Plaintiff is beaten by Nancy Powell, Raheem's mother when she goes to her house for help. Face completely covered in blood and deep scratches from her fake nails digging into Plaintiff's flesh. Plaintiff has permanent facial scarring as a result. (See Exhibit # 1 Photo of deep scratches on Plaintiff's face dated 11/17/2010) Nancy Powell was given an ACD (2010NY092185) which she violated by being re-arrested for marijuana possession six months later but the Das never prosecuted her.)
- E. Powell gave information leading to the arrest of his cousin Andre, who was shot in the back of the head in broad daylight on or about in December of 2010 in broad daylight on w 115th st and Lenox Avenue. We knew the murderer. The killer was Andre's close friend who had let him sleep on his couch when Andre had no other place to live. While there he seduced his friend's girlfriend unbeknownst to his host. The girlfriend admitted the tryst and Andre was hunted down by his former best friend and slaughtered. The killer used to work at a store called "Posh Paws" on Fredrick Douglas Boulevard and was known in the neighborhood to run with a "gang." Powell helped bring this murderer to justice.
- F. Powell participated in several previous cooperations with the NYPD/law enforcement. In approximately 2006 Powell was caught up in a high-speed police chase through upper Manhattan that was broadcast on the news because police helicopters were brought in to chase his dodge Magnum station wagon that he was driving trying to evade police. When he was caught he and his friend, Maurice Nieves, were arrested and to retaliate against them they were given the "Shake n Bake" treatment. They were handcuffed, placed in the back of a police van un-tethered and shackled, and driven around Manhattan for over 72 hours at high-speeds without food or water. There was another young man in the back of the van who was badly injured from this practice who attempted to sue the city for his injuries and rights violations. Raheem signed a false affidavit stating that they were in the back of the man with the plaintiff in the civil rights suit against the city stating falsely that they were given food and water and not driven around for days.
- G. Raheem's "cousin"/best friend was released from prison early. Raheem told me it was because "Pennsylvania didn't want him any longer." I've attached a JPAY

statement for a prison commissary account payment I made on behalf of Raheem for his best friend in 2009 that includes his Inmate ID number. Unfortunately Mr. Nieves died while in the custody of the Baltimore Police in 2015 after yet another high-speed chase.

4. . Vance's office's own words from his office's criminal complaint against Dewey & LeBeouf accuse those executives of material misstatements.

((<https://www.documentcloud.org/documents/1063615-indictment-against-ex-leaders-of-law-firm.html>))

Vance's own affidavit submitted to the SDNY on April 19, 2017 is evidence of the MDAO employing the same styling of material misstatement to avoid being named on my complaint. You can almost substitute Vance's name for the Dewey Defendants verbatim (Exhibit B):

"Vance and others at the Manhattan District Attorney's Office were aware that the failure to offer sufficient statement disclaiming any relationship between Miss Price's batterer and their office/the NYPD could have disastrous effects on the MDAO including but not limited to being named individually on Miss Price's federal civil rights complaint. To avoid this, Vance and other at the MDAO (individually and collectively, the "Schemers") engaged in a scheme (the "Schemers") to defraud the SDNY and others by, among other things, misrepresenting the MDAO's relationship with Miss Price's abuser in an affidavit submitted to Hon. Judge Polk-Failla on April 19th, 2016 by ADA Christopher Ryan. Among other things, the Schemers continued to misrepresent the MDAO's proffer-deriving relationship with Mr. Powell, outside of any testimony he may or may not have given at the 137th st gang grand jury in February of 2011 and the Schemers defrauded Miss Price of her due process rights by offering similar misstatements. As part of the efforts to ensure the success of the Scheme, the Schemers lied to and otherwise misled Hon. Judge Polk Failla, the SDNY as well as others. The Schemers, themselves or working through others, withheld information and affirmatively concealed the Scheme when Miss Price filed a letter to the Federal Court remarking on the peculiar nature of the Ryan Affidavit by continuing to remain silent on the matter and not offering a full explanation for their omissions to complainant Price, to the Federal Court, and to Hon. Judge Polk-Failla."

5. I have already submitted as evidence the affidavit from former NYPD Lt. Mark C. Larocca (Exhibit A Affidavit from Retired NYPD Lt. Larocca): this document proves the MDAO inserted itself into the investigatory role and thus all absolute defenses and many qualified immunity defenses are no longer available to members of Cy Vance Jr.'s staff and to the MDAO himself. The Ryan affidavit offers no explanation for this egregious violation of the Police Investigative and the District Attorney Advocate roles. Even if what the MDAO asserts is true in his Ryan Affidavit there is still no explanation for why the MDAO issued such an edict curbing my rights to protection, due process, and to live

without fear of retaliation and/or persecution from my Government.

6. I have been told by attorney Norman Siegel that he will take my case if I can show him definitively that the case can be a Class Action. I submitted a FOIL in March of this year to the NYC Dept. of Technology requesting a list of all accounts operated by NYC agencies and agents that have blocked people/organizations from their social media accounts. This request was ignored summarily even though NYC has provided bits and pieces of this information to other FOIL requesters in the past (Exhibit C Angela Greben's FULFILLED FOIL requests to NYC Mayor's office and other City Agencies ref: social media accounts who block citizens.)

Mr. Siegel has informed me that he will represent me on my hearing in State Court to get this information. I would ask the court to extend a deadline to re-write my complaint until the resolution of this hearing and the results of the FOIL and it can be determined if I have enough of a class for Mr. Siegel to represent myself and my class.

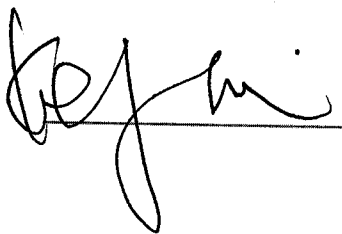
7. In my Sept 16, 2016 filing I did name the persons who maliciously prosecuted me for the 324 counts of CPLR 240.30 and one Felony Contempt of Court Count. I had been granted permission to extend the deadline of that re-write to mid-September but because I am a poor person without access to Pacer there was a misunderstanding between myself and Hon. Judge Preska about why I turned in a version of my rewrite on September 2, 2016 and another on September 16, 2017. Please, even if the MDAO's assertions are true (which they are not) striking my ability to sue for malicious prosecution over these charges is a major blow to my case and will impinge my ability to receive proper discovery from the MDAO and NYPD. Please your honor; Hon. Judge Preska dismissed this action because of a misunderstanding in how I should label submissions. Please your honor I beg you to reconsider and allow me to pursue these action for Malicious Prosecution. I had in fact named the person who maliciously prosecuted me. I have been working towards being able to hold the persons accountable for my malicious prosecution for years: have made all deadlines and all filings and carried this torch for now six years. Please don't let this misunderstanding carve-out this major part of my case.

Reconsideration of a court's judgement under Rule 59€ is an "extraordinary remedy to be

employed sparingly in the interests of finality and conservation of scarce judicial resources.” USA Certified Merchants, LLD v. Koebel, 273 F. Supp 2d 501, 503 (S.D.N.Y 2003). “A court is justified in reconsidering its previous ruling if: (1) there is an intervening change in the controlling law; (2) new evidence not previously available comes to light; or (3) it becomes necessary to remedy a clear error of law or to prevent obvious injustice.” Slater, 374 F. Supp. 2d at 253 (citing Atl. States Legal Found., Inc. v. Karg Bros., Inc., 841’ Supp. 51, 53 (N.D.N.Y. 1993)).

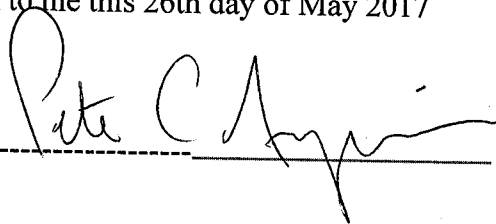
Thank you Your Honor, for taking the time to consider these issues and facts. At the very least news of the MDAO blocking me is new evidence and I hope you will allow me to add this action to my complaint.

Kelly Price



May 26, 2017

Sworn to me this 26th day of May 2017



PETER CURME ANGELICA
Notary Public, State of New York
No. 01AN6317424
Qualified in New York County
Commission Expires: January 5, 2019

Address: 534 W 187th st #7, City New York, NY State NY Zip Code 10033

646 676 1940

graciegracie212@gmail.com

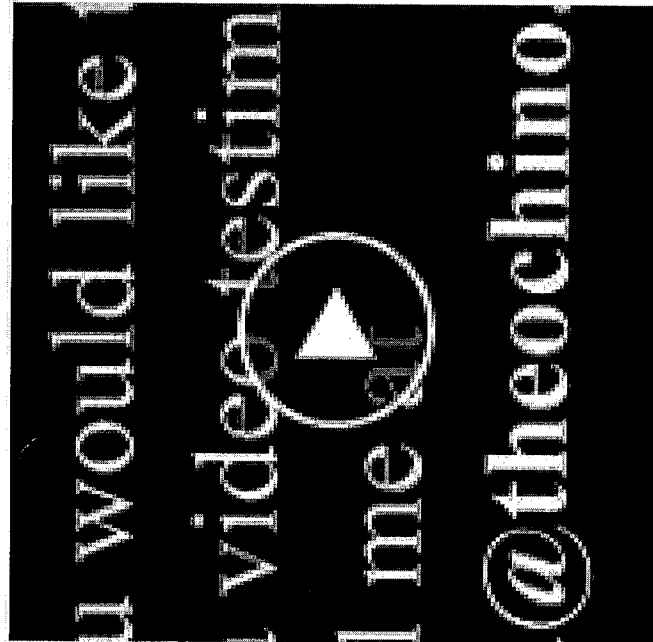


Gracie Price

51 mins · 21 ▼

<https://www.youtube.com/watch?v=k1X6gdWCS18>

Thank you The Village Independent Democrats for voting to NOT endorse @manhattandistrictattorney #CyVance Your #Restistance is spreading like wildfire!



VID vote not to endorse Cyrus Vance Jr for DA in 2017.

If you would like to add a video testimony, please email me at nyda@theochino.com Question to DA: Has your stance changed? <https://youtu.be/k1X6gdWCS18?t=9m30s>
YOUTUBE.COM

A

Like Comment Share

Send Message

Public & Government
New York

3.2 ★★☆☆

Community

Invite your friends

2,334 people like this

2,292 people follow

2,116 people have

Sr Tesa Fitzgerald

visited



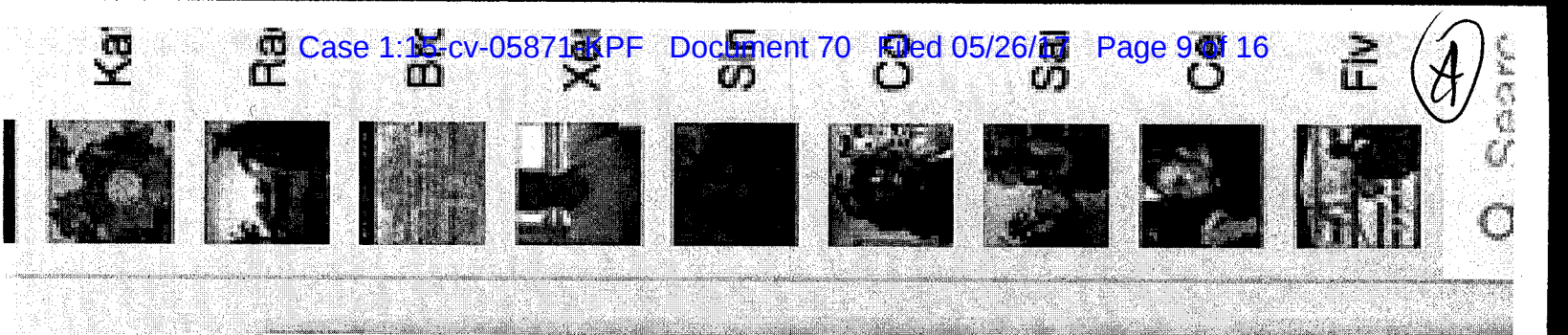
Manhattan District Attorney's Office



11:18AM

please can you unblock me?
It is unconstitutional for your
to prevent me access to
posting to your FB page.

Type a message...





S



NYC Jails Action Coalition (JAC)

Published by Gracie Price [?] · 49 mins ·

ps://www.youtube.com/watch?v=k1X6gdWCS18 Thank you The
 lage Independent Democrats for voting to NOT endorse Manhattar
 strict Attorney's Office #CyVance for re-election. He puts more
 men, mentally ill, and misdemeanor offenders on Rikers than ANY
 HER BOROUGH DA. His criminal justice reform record is abysmal
 d his anti-encryption policies short-sighted and unconstitutional.
 rmer judges have spoken out regarding his self-serving "Conviction
 egrity" unit and countless innocents have been prosecuted on RIC
 argues destroying our poorest inner-city communities. Thank you fo
 ing a stand for the voiceless and the hopeless! Mr. Vance will be
 ing his own petitioning downtown this year!



VID vote not to endorse Cyrus Vance Jr for DA in 2017.

If you would like to add a video testimony, please email me at nyda@theochino.com Question to DA: Has your stance changed? <https://youtu.be/k1X6gdWCS18?t=9m30s>

YOUTUBE.COM

people reached

Boost Po

B

The defendants and others at the Firm were aware that the failure to meet the Cash Flow Covenant during the 2008 credit crisis could have disastrous effects on the Firm. To avoid this, the defendants and others at the Firm (individually and collectively, the "Schemers") engaged in a scheme (the "Scheme") to defraud the Firm's lenders and others by, among other things, misrepresenting the Firm's financial performance and compliance with the Cash Flow Covenant. In later years, among other things, the Schemers continued to misrepresent the Firm's financial performance and condition and that the Firm was in compliance with the Cash Flow Covenant and other covenants and defrauded additional lenders and investors using similar misstatements.

As part of the efforts to ensure the success of the Scheme, the Schemers lied to and otherwise misled the Firm's partners and auditors, as well as others. The Schemers, themselves or working through others, withheld information and affirmatively concealed the Scheme when they were questioned by partners, including members of the Firm's Executive Committee, auditors, or others.



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

October 16, 2015

Angela Greben
angela.greben@gmail.com
Re: ID #2015-0310

Dear Ms. Greben:

This letter is a response to your request pursuant to the Freedom of Information Law received on September 8, 2015 for the following records:

"This is a FOIL request pertaining to the following Twitter account: @BilldeBlasio"

After conducting a search, the Mayor's Office has found records responsive to your request under FOIL. The responsive records are attached.

You may appeal this determination in writing within thirty days by addressing such an appeal to Henry Berger, Records Appeals Officer -- HBerger@cityhall.nyc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kiren Gopal".

Kiren Gopal
Special Advisor to the Counsel
Records Access Officer

accounts you're blocking

You've blocked these accounts. You will not see their Tweets in your timeline. Additionally, blocked accounts cannot follow you or view your profile while logged in to Twitter. Learn more about blocking.

All / Imported



Brandon Smith
@ChairMissing



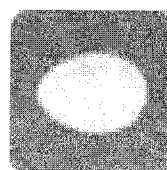
Blocked



Fair NYC
@NycFair



Blocked



ali punisher2014
@finaljustice00



Blocked



Wheredolspend
@Wheredolspend



Blocked

7

You're muting

These accounts' Tweets from your timeline and you will not see replies and mentions from your notifications. Learn more

You aren't muting any account you are currently following.

7

Twitter / Settings

Twitter, Inc. (US) | https://twitter.com/settings/blocked

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Accounts you're blocking

You've blocked these accounts. You will not see their Tweets at you, or theirs. Additionally, blocked accounts cannot follow you or view your profile while logged in to Twitter. [Learn more about blocking.](#)

AS / Import

Advised actions

You aren't blocking anyone.

Bill de Blasio
@Billde Blasio

Account >

Security and privacy >

Password >

Cards and shopping >

Order history >

Mobile >

Email notifications >

Notifications timeline >

Web notifications >

Find friends >

Muted accounts >

Blocked accounts >

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You've hidden these accounts' Tweets from your timeline and you will not receive push or real-time notifications from them. For muted accounts you are not following, you've also hidden their replies and mentions from your notifications. [Learn more.](#)

You aren't muting anyone.

Bill de Blasio
@BillDe Blasio

- Account
- Security and privacy
- Retweets
- Cards and sharing
- Order history
- Mobile
- Email notifications
- Notifications timeline
- Web notifications
- Find friends
- Muted accounts**
- Blocked accounts
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